

IN THE CLAIMS

Please rewrite Claim 13 as follows:

E 1 13. (Amended four times) A composition comprising a prepared food product containing a biologically active acylglycerol composition comprising a plurality of acylglycerol molecules wherein the acylglycerol molecules comprise substituents R₁, R₂, and R₃ attached at the positions of the OH- groups of a glycerol backbone, and wherein R₁, R₂, and R₃ are selected from the group consisting of a hydroxyl group and an octadecadienoic acid, said acylglycerol composition characterized in containing at least approximately 30% t10,c12 octadecadienoic acid, at least approximately 30% c9,t11 octadecadienoic acid, and about less than 1% total of 8,10 octadecadienoic acid, 11,13 octadecadienoic acid and trans-trans octadecadienoic acid at positions R₁, R₂, and R₃, wherein said percentages are peak area percentages as determined by gas chromatography.

REMARKS

Claims 5-8 and 13-17 are pending in the present application. Claim 13 has been amended. This claim has been amended without acquiescing to Examiner's arguments, and solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG)¹, and without waiving the right to prosecute the unamended (or similar) claims in another application. The amendment made to Claim 13 is not intended to narrow the scope of the Claim within the meaning of *Festo*².

The following rejections are at issue, and are set forth by number in the order that they are herein addressed:

1. Claims 5-8 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by Cain *et al.* (WO97/18320);
2. Claims 13-17 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Cain *et al.* (WO97/18320);
3. Claims 5-8 and 13-17 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious under Nilsen *et al.* (U.S. Pat. No. 5,885,594) in view of Cain *et*

¹ 65 Fed. Reg. 54603 (September 8, 2000).

² Corp. v. Shokestu Kinzoku Kogyo Kabushiki Co., No. 95-1066, 2000 WL 1753646 (Fed. Cir. 2000).